

FIRST REGULAR SESSION

HOUSE BILL NO. 898

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAKER.

2171H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 571.020, RSMo, and to enact in lieu thereof four new sections relating to firearm suppressors, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 571.020, RSMo, is repealed and four new sections enacted in lieu thereof, to be known as sections 571.020, 571.930, 571.935, and 571.940, to read as follows:

571.020. 1. A person commits an offense if such person knowingly possesses, manufactures, transports, repairs, or sells:

(1) An explosive weapon;

(2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;

(3) A gas gun;

(4) A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; ~~or~~

(5) Knuckles; or

(6) Any of the following in violation of federal law:

(a) A machine gun;

(b) A short-barreled rifle or shotgun; **or**

(c) ~~[A firearm silencer; or~~

~~(d)]~~ A switchblade knife.

2. A person does not commit an offense pursuant to this section if his or her conduct involved any of the items in subdivisions (1) to (5) of subsection 1 **of this section**, the item was possessed in conformity with any applicable federal law, and the conduct:

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (1) Was incident to the performance of official duty by the Armed Forces, National
19 Guard, a governmental law enforcement agency, or a penal institution; or

20 (2) Was incident to engaging in a lawful commercial or business transaction with an
21 organization enumerated in subdivision (1) of this ~~section~~ **subsection**; or

22 (3) Was incident to using an explosive weapon in a manner reasonably related to a
23 lawful industrial or commercial enterprise; or

24 (4) Was incident to displaying the weapon in a public museum or exhibition; or

25 (5) Was incident to using the weapon in a manner reasonably related to a lawful
26 dramatic performance.

27 3. An offense pursuant to subdivision (1), (2), (3) or (6) of subsection 1 of this section
28 is a class D felony; a crime pursuant to subdivision (4) or (5) of subsection 1 of this section is
29 a class A misdemeanor.

30 **4. The offense of knowingly possessing, manufacturing, transporting, repairing,**
31 **or selling a firearm silencer, as it existed immediately before August 28, 2025, shall not**
32 **be prosecuted on or after August 28, 2025. If on August 28, 2025, a criminal action is**
33 **pending for such offense, the action is dismissed on that date. However, a final**
34 **conviction for such offense that exists on August 28, 2025, shall not be affected.**

571.930. As used in sections 571.930 to 571.940, the following terms mean:

2 (1) "Firearm suppressor", any device designed, made, or adapted to muffle the
3 report of a firearm;

4 (2) "Generic and insignificant part", an item that has manufacturing or
5 consumer product applications other than inclusion in a firearm suppressor. The term
6 "generic and insignificant part" includes a spring, screw, nut, or pin;

7 (3) "Manufacture", forging, casting, machining, or another process for working
8 a material.

571.935. 1. (1) For the purposes of this section, a firearm suppressor is
2 **manufactured in this state if the item is manufactured:**

3 (a) In this state from basic materials; and

4 (b) Without the inclusion of any part imported from another state other than a
5 generic and insignificant part.

6 (2) For the purposes of this section, a firearm suppressor is manufactured in this
7 state if it is manufactured as described in subdivision (1) of this subsection without
8 regard to whether a firearm imported into this state from another state is attached to or
9 used in conjunction with the suppressor.

10 2. (1) A firearm suppressor that is manufactured in this state and remains in
11 this state shall not be subject to federal law or federal regulation, including registration,
12 under the authority of the United States Congress to regulate interstate commerce.

13 **(2) A basic material from which a firearm suppressor is manufactured in this**
14 **state, including unmachined steel, shall not be a firearm suppressor and is not subject to**
15 **federal regulation under the authority of the United States Congress to regulate**
16 **interstate commerce as if it actually were a firearm suppressor.**

17 **3. A firearm suppressor manufactured and sold in this state shall have the words**
18 **"Made in Missouri" clearly stamped on it.**

19 **4. On written notification to the attorney general by a United States citizen who**
20 **resides in this state of the citizen's intent to manufacture a firearm suppressor to which**
21 **subsection 2 of this section applies, the attorney general shall seek a declaratory**
22 **judgment from a federal district court in this state that subsection 2 of this section is**
23 **consistent with the United States Constitution.**

24 **5. The provisions of this section shall apply only to firearm suppressors that are**
25 **manufactured on or after August 28, 2025.**

571.940. 1. The provisions of this section shall apply to:

2 **(1) The state of Missouri, including an agency, department, commission, bureau,**
3 **board, office, council, court, or other entity that is in any branch of state government**
4 **and that is created by the constitution or a statute of this state, including a university**
5 **system or a system of higher education;**

6 **(2) The governing body of a municipality, county, or special district or authority;**

7 **(3) An officer, employee, or other body that is part of a municipality, county, or**
8 **special district or authority, including a sheriff, municipal police department, municipal**
9 **attorney, or county attorney; and**

10 **(4) A prosecuting attorney, county counselor, or circuit attorney.**

11 **2. (1) An entity described in subsection 1 of this section shall not adopt a rule,**
12 **order, ordinance, or policy under which the entity enforces, or by consistent action**
13 **allows the enforcement of, a federal statute, order, rule, or regulation that purports to**
14 **regulate a firearm suppressor if the statute, order, rule, or regulation imposes a**
15 **prohibition, restriction, or other regulation that does not exist under the laws of this**
16 **state.**

17 **(2) No entity described in subsection 1 of this section and no person employed by**
18 **or otherwise under the direction or control of the entity shall enforce or attempt to**
19 **enforce any federal statute, order, rule, or regulation described in subdivision (1) of this**
20 **subsection.**

21 **3. (1) An entity described in subsection 1 of this section shall not receive state**
22 **grant funds if the entity adopts a rule, order, ordinance, or policy under which the entity**
23 **enforces a federal law described in subdivision (1) of subsection 2 of this section or, by**

24 consistent action, allows the enforcement of a federal law described in subdivision (1) of
25 subsection 2 of this section.

26 (2) State grant funds for the entity shall be denied for the fiscal year following
27 the year in which a final judicial determination in an action brought under this section is
28 made that the entity has violated subdivision (1) of subsection 2 of this section.

29 4. (1) Any citizen residing in the jurisdiction of an entity described in subsection
30 1 of this section may file a complaint with the attorney general if the citizen offers
31 evidence to support an allegation that the entity has adopted a rule, order, ordinance, or
32 policy under which the entity enforces a federal law described in subdivision (1) of
33 subsection 2 of this section or that the entity, by consistent action, allows the
34 enforcement of a federal law described in subdivision (1) of subsection 2 of this section.
35 The citizen shall include with the complaint any evidence the citizen has in support of
36 the complaint.

37 (2) If the attorney general determines that a complaint filed under subdivision
38 (1) of this subsection against an entity described in subsection 1 of this section is valid, to
39 compel the entity's compliance with this section the attorney general may file a petition
40 for a writ of mandamus or apply for other appropriate equitable relief in the circuit
41 court of Cole County or the circuit court in any county in which the principal office of
42 the entity is located. The attorney general may recover reasonable expenses incurred
43 obtaining relief under this subdivision, including court costs, reasonable attorney's fees,
44 investigative costs, witness fees, and deposition costs.

45 (3) In any appeal of a suit brought under subdivision (2) of this subsection, the
46 appellate court shall expedite the case by entering such scheduling orders as are
47 necessary to ensure that a final order or judgment will be entered with the least possible
48 delay.

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